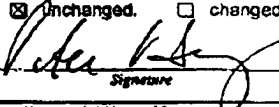


Free purpose

<b>TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION</b>	Docket No. 840.066.202
In re Application of: <b>Dresch, et al.</b> Application No. <b>09/808,468</b> Filed: <b>March 14, 2001</b> For: <b>ION STORAGE TIME-OF-FLIGHT MASS SPECTROMETER</b>	
The owner, <u>Analytica of Branford</u> of <u>100.00</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 158 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number <u>08/971,521</u> , filed on <u>11/17/1997</u> . The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.	
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 158 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.	
Check either box 1 or 2, if appropriate.	
1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.	
2. <input checked="" type="checkbox"/> The undersigned is an attorney of record.	
3. Owner/applicant is <input checked="" type="checkbox"/> Small entity <input type="checkbox"/> Large entity The terminal disclaimer fee under 37 CFR 1.20(d) is <u>\$55.00</u> and is to be paid as follows: <input type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>02-2105</u> .	
PTO suggested wording for terminal disclaimer was <input checked="" type="checkbox"/> Unchanged. <input type="checkbox"/> changed (if changed, an explanation should be supplied.)	
Signature  Name and Address of Person Signing Peter L. Berger, Esq. (Reg. No. 24,570) Levisohn, Berger & Langsam, LLP 805 Third Avenue, 19th Floor New York, New York 10022 Phone (212) 486-7272 Fax (212) 486-0323 CUSTOMER NO. 04617	Dated: <u>Dec. 6, 2004</u> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">         I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.9 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.          Signature of Person Mailing Correspondence          Typed or Printed Name of Person Mailing Correspondence       </div>

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PAGE 4/11 \* RCVD AT 12/06/2004 11:58:05 AM (Eastern Standard Time) \* SVR:USPTO-EFXXF-1/6 \* DNIS:3729305 \* CSID:2124860323 \* DURATION (mm:ss):03:50

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PATENT APPLICATION FEE DETERMINATION RECORD  
Substitute for Form PTO-875

Application or Docket Number  
09/808,468

CLAIMS AS FILED - PART I

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	*
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

RATE	FEE
	\$
X \$	=
X \$	=
+ \$	=
TOTAL	

RATE	FEE
	\$
X \$	=
X \$	=
+ \$	=
TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	3	Minus	20	=
Independent (37 CFR 1.16(b))	1	Minus	3	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

RATE	ADDITIONAL FEE
X \$ 9	=
X \$ 44	=
+ \$ 150	=
TOTAL ADD'L FEE	

RATE	ADDITIONAL FEE
X \$ 18	=
X \$ 88	=
+ \$ 30	=
TOTAL ADD'L FEE	

(Column 1)

(Column 2)

(Column 3)

RATE

ADDITIONAL FEE

RATE

ADDITIONAL FEE

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))		Minus		=
Independent (37 CFR 1.16(b))		Minus		=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

(Column 1)

(Column 2)

(Column 3)

RATE

ADDITIONAL FEE

RATE

ADDITIONAL FEE

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))		Minus		=
Independent (37 CFR 1.16(b))		Minus		=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

RATE	ADDITIONAL FEE
X \$	=
X \$	=
+ \$	=
TOTAL ADD'L FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20"

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3"

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by if USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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